

Remarks/Arguments

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. Applicants appreciate the allowance of claims 5, 7, and 10 and the conditional allowance of claim 8.

By the present amendment claim 1 has been amended to recite "An apparatus comprising a cold drawn induction-heated low-carbon steel tube..." Additionally claim 8 has been cancelled. Claim 8 was dependent from claim 1 and recited that the low-carbon steel tube is cold drawn.

Below is a discussion of the obviousness rejection of claims 1, 3, and 9.

35 U.S.C. §103 rejection of claims 1 and 3 in view of U.S. Patent No. 6,290,789

Claim 1 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Toyooka et al. (US 6,290,789 B1).

The Examiner has indicated that the cold drawn low-carbon steel tube of Claim 8 would be allowable if rewritten in the independent form including all the limitations of claim 1. As discussed above, claim 1 was amended to recite that the apparatus comprises a cold drawn induction-heated low-carbon steel tube.

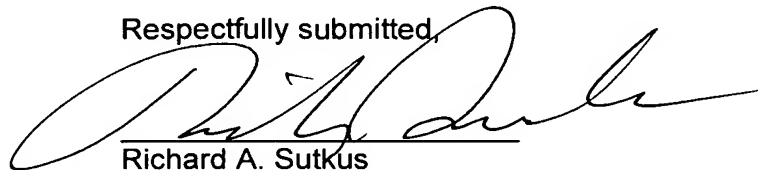
Accordingly, the cold drawn induction-heated low-carbon steel tube of claim 1, now including the subject matter of cancelled claim 8, is not substantially identical or identical to the composition or process of forming the low-carbon steel tube of Toyooka et al. Thus Toyooka et al. do not teach or suggest all of the limitations of claim 1 and allowance of claim 1 is respectfully requested.

Claim 3 and 9 depend respectively from claim 1 and are allowable because of the specific limitations recited in amended claim 1.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiencies or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard A. Sutkus', written over a horizontal line.

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